

## PROJECT NARRATIVE

After purchasing my town home at Laguna San Juan located at 7916 E. Vista Drive, I wanted to enclose the existing bedroom patio and have a little more room in the master bedroom. Other town homes in my neighborhood appeared to have made similar minor additions and improvements to their properties, so I obtained approval from the HOA and proceeded with the master bedroom extension. The completed master bedroom project now places the wall of the home six feet from the wall on the north property line. It has been explained to me by Staff, that under the current zoning of the property, the setback to the property line has to be either zero or ten feet. Therefore, I am requesting a variance to allow a six-foot setback from the wall. The variance would allow an improvement to my home that is consistent and compatible with improvements made to other homes in the area. The functioning and usability of the home will be improved adding to its value in a way that does not negatively impact anyone.

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4-BA-2005  
REV: 4/12/2005

**JUSTIFICATION FOR VARIANCE**  
**79<sup>th</sup> & Vista Dr.**

1. There are special circumstances or conditions applied to the land, building, or use which do not apply to other properties in the district:

The subject townhome is within the Laguna San Juan townhome complex zoned R-4 with attached units. The configuration of the townhome on the lot and the floor plan of the unit make it impossible to add any meaningful space to the master bedroom without encroaching into the ten foot yard requirement. Due to these building and lot layout circumstances, numerous other residents of Laguna San Juan have expanded their units encroaching into the ten foot setback in order to add functional space to their homes. The yard provisions of the R-4 District create a hardship in situations like this in that they either prevent additions to a townhome unit or require the additions to extend all the way to the lot line. Many other similar types of townhome or patio home developments zoned R-4 have amended development standards which would enable such additions to occur without being forced all the way to the property line, which creates far greater impact on adjacent neighbors and eliminates open space and landscaping between homes.

2. Authorizing the variance is necessary for the preservation and enjoyment of substantial property rights:

Without the granting of a setback variance in circumstances such as these, the only choice the owner has is to build an addition to the property line, which eliminates open space and landscaping on the lot and creates a tiny, unusable, no man's land in the northwest corner of the lot. With a six-foot space between the master bedroom addition and the wall on the property line, landscaping can be planted, which creates a more aesthetically appealing backyard environment for both the property owner and the adjacent neighbors. Extension of the addition all the way to the wall between the properties has a far more negative impact on the character of the townhome complex than leaving a wide enough area for landscaping and space between the building masses. It also allows a more visually appealing and usable backyard.

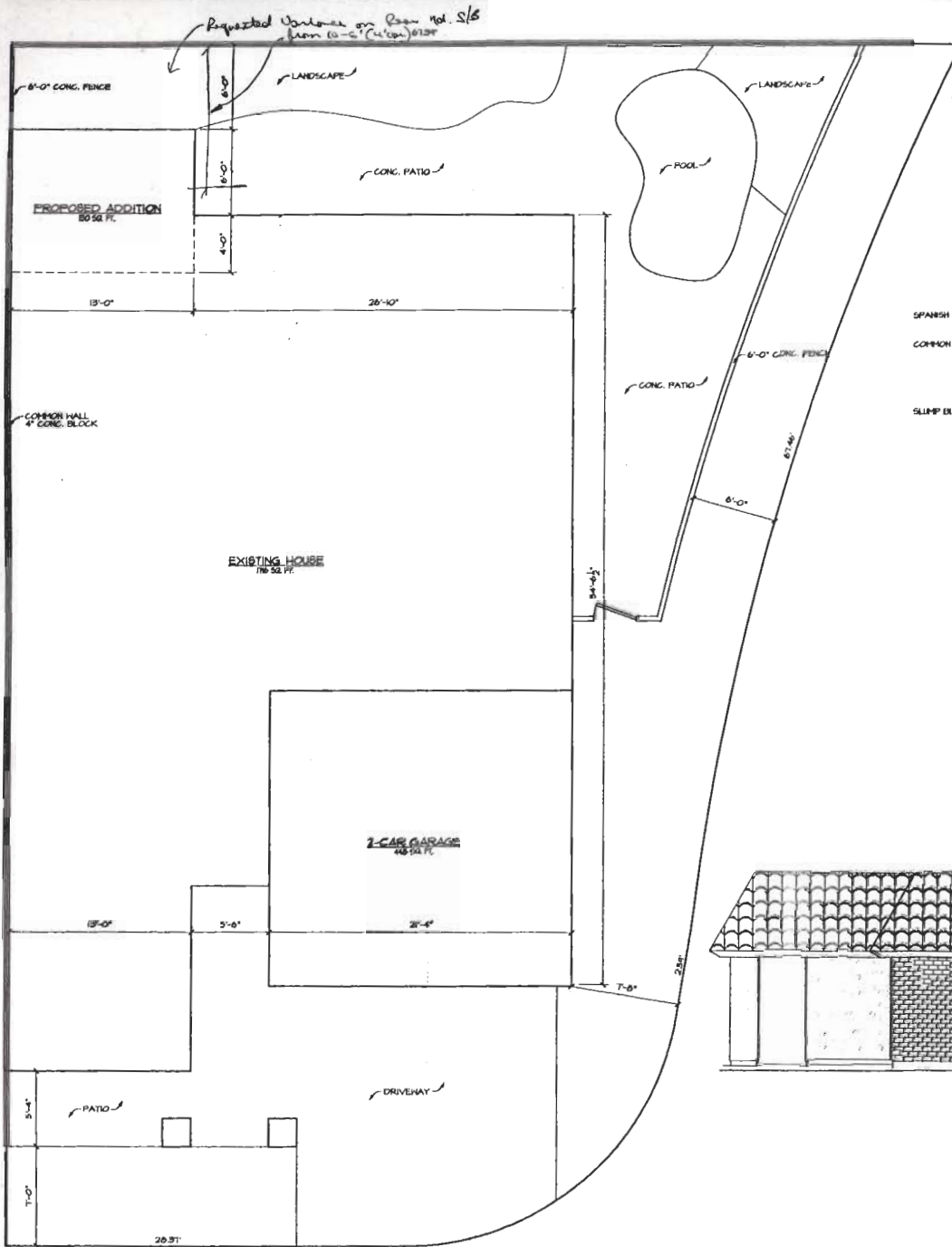
3. Special circumstances were not created by the owner or applicant:

The design and layout of this R-4 townhome are special circumstances that require relief and were not created by the applicant townhome owner.

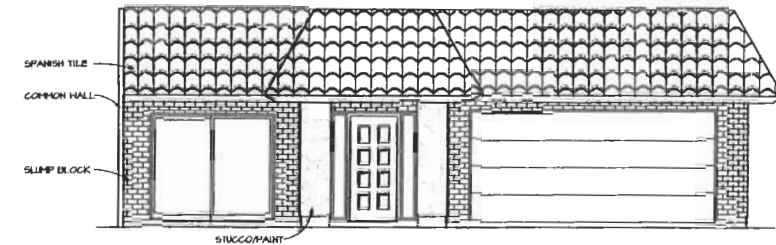
4. Authorizing the application will not be materially detrimental to persons residing or working in the vicinity, to the adjacent property, to the neighborhood, or the public welfare in general:

The granting of the variance would maintain the character of the Laguna San Juan townhome complex and allow open space and planting that enhance the property to the benefit of all surrounding neighbors and residents. There is no detrimental impact on anyone, and the adjacent neighbor to the north, as well as other neighbors in Laguna San Juan, are in support of the granting of the variance.

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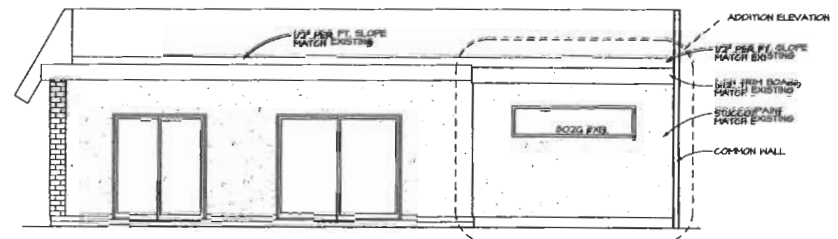


**SITE PLAN**



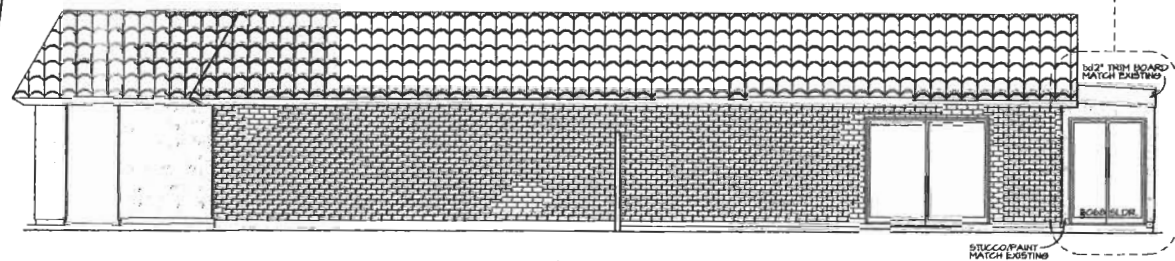
**FRONT ELEVATION**

SCALE 1/4" = 1'-0"



**REAR ELEVATION**

SCALE 1/4" = 1'-0"



**RIGHT ELEVATION**

SCALE 1/4" = 1'-0"